

TOWN OF YOUNTVILLE
MINUTES OF REGULAR COUNCIL MEETING
June 19, 2007

1. ZONING AND DESIGN REVIEW BOARD INTERVIEWS – 4:15 P.M.

Mayor Saucerman called the Zoning and Design Review Board Interviews to order at 4:15 p.m.

The Town Council interviewed the following Zoning and Design Review Board (ZDRB) Applicants:

Douglas C. Haigh
Renate Halliday
Matt Lamborn
Stephen Henderson

2. CALL TO ORDER – 5:30 P.M.

Mayor Saucerman called the Regular Town Council meeting to order at 5:30 p.m.

3. CLOSED SESSION -

A. Public Employee Appointment/Recruitment/On-going Recruitment of the following Positions - Government Code Section 54957:

Titles: Town Manager
Finance Director

B. Conference with Legal Counsel – Government Section 54956.9(c)
Pending Litigation: One (1) Case

C. Conference with Legal Counsel – Existing Litigation – Government Code Section 45956.9(a)

Name of Case: George Louie

4. CONVENE REGULAR COUNCIL MEETING – 6:00 P.M.

Council convened the Regular Town Council Meeting at 6:02 p.m.

5. PLEDGE OF ALLEGIANCE

Councilmember Rosa led the pledge of allegiance.

6. ROLL CALL

Mayor and Town Councilmembers Present:

Mayor Cynthia L. Saucerman, Vice Mayor John F. Dunbar and Councilmembers William "Bill" Dutton, Steven C. Rosa and Lewis G. Chilton

Town Staff Present:

Bob Tiernan, Interim Town Manager/Planning Director; Amy L. Valukevich, Town Attorney; Michelle Price, Town Clerk; Myke Praul, Public Works Director/Town Engineer, Richard Stranzl, Finance Director and Kenneth Leary, Community Services Director

7. CLOSED SESSION REPORT

Bob Tiernan, Interim Town Manager, reported on Closed Session Item 3A for the position of Finance Director stating the Finance Director submitted a request to rescind his previously submitted resignation and Council accepted the request.

No Report for the remaining Closed Session Items.

8. ADOPTION OF THE AGENDA

ACTION: A Motion by Vice Mayor Dunbar, Seconded by Councilmember Dutton to adopt the agenda was unanimously approved.

Ayes: Dunbar, Dutton, Rosa, Chilton and Saucerman

Noes: None

Absent: None

Abstain: None

9. Public Comment on Matters Not Listed on the Agenda (FIVE MINUTE LIMITATION PER SPEAKER)

None

10. APPROVAL OF CONSENT CALENDAR

Amy Valukevich, Town Attorney, requested Item 10 F be removed for discussion.

Bob Tiernan, Interim Town Manager, reported a correction to Item 10 H regarding the Sign Ordinance under number 2, second sentence adding the word not in front of block, so the sentence reads "...not block any...".

ACTION: A Motion by Councilmember Dutton, Seconded by Councilmember Chilton to approve Consent Calendar pulling Item 10 F for discussion and amending Item 10 H as shown above, was unanimously approved.

Ayes: Dutton, Chilton, Rosa, Dunbar and Saucerman
Noes: None
Absent: None
Abstain: None

Item 10 F Held for Discussion

Amy Valukevich, Town Attorney, commented on the hourly rate of compensation referenced in Amendment Number Six to First Amended and Restated Agreement for Legal Services provided to the Town by Coombs and Dunlap and clarified the hourly rate of compensation be reflected as the same rate as the partner attorney.

Councilmember Chilton requested clarification on number 7.a.3. and 7.a.4. regarding the hourly rate of compensation for litigation services and following a brief discussion, number 7.a.4. was amended to add Town Attorney.

ACTION: A Motion by Councilmember Rosa, Seconded by Councilmember Dutton to adopt Consent Calendar Item 10 F, as amended, was unanimously approved.

Ayes: Rosa, Dutton, Chilton, Dunbar and Saucerman
Noes: None
Absent: None
Abstain: None

A. Approval of Warrants —

- | | |
|----------------------------------|---------------------|
| • Accounts payable check numbers | \$235,591.18 |
| • Total payroll and benefits | <u>\$ 94,717.93</u> |
| • Total payments for period | \$330,309.11 |

Recommendation: Received and Filed.

B. Monthly Financial Report – May 2007

Recommendation: Approved.

C. Adopt Resolution Number 2575-07 Approving the amended salary ranges for the Office Assistant I/II/III positions, reactivating the Office Assistant III position, and authorizing the Interim Town Manager to recruit and fill the position of Office Assistant III.

Recommendation: Adopted Resolution.

D. ***Adopt Resolution Number 2576-07*** Establishing the Town of Yountville's Contribution for Health Care under the Public Employee's Medical and Hospital Care Act and Rescinding Resolution Number 2486-06.

Recommendation: Adopted Resolution.

E. ***Adopt Resolution Number 2577-07*** Approving a Salary and Benefit Compensation Schedule for General, Confidential and Management Employees for Fiscal-Year 2007-08.

Recommendation: Adopted Resolution.

F. ***Adopt Resolution Number 2578-07*** Approving Amendment Number six to Agreement 2000-03 First Amended and Restated Agreement for Legal Services with Coombs & Dunlap, LLP.

Recommendation: Adopted Resolution, as amended above.

G. ***Adopt Resolution Number 2579-07*** Approving Amendments to the Master Development Plan (06-MDP-01), Use Permit (06-UP-07), and Design Review (06-DR-04) for the Bardessono Inn Project located at 6526 Yount Street.

Recommendation: Adopted Resolution.

H. ***Adopt Ordinance Number 371-07*** Amending Section 6.3 of the Zoning Ordinance pertaining to real estate signs.

Recommendation: Final Reading and Adoption of Ordinance, as amended above.

I. ***Approval of Minutes*** – May 15, 2007

Recommendation: Approved.

11. PUBLIC HEARING – USE PERMIT AMENDMENT – NAPA VALLEY WINE TRAIN AND BALLOONS ABOVE THE VALLEY - 1A CALIFORNIA DRIVE (APN 034-140-012)

Consider Use Permit Amendment for the Napa Valley Wine Train to include launching hot air balloons from the Yountville Wine Train Station site (use limited to Balloons Above the Valley).

Recommendation: Received Applicant's Proposal and Provide Comments.

Mayor Saucerman, Vice Mayor Dunbar and Councilmembers Chilton and Rosa disclosed that they either met or communicated with the Applicant prior to the Council meeting.

Robert Tiernan, Interim Town Manager/Planning Director, presented staff report.

Cindy Barbarick, Applicant, gave brief presentation and submitted photos of the proposed site for review.

Public Hearing Opened

Don Surplus, Napa Valley Balloons Incorporated, stated his company is a tenant at Washington Square and commented he has no specific objection to the launch permit request. However, he did express concern for the following:

- If the proposed request is granted that it not limit or restrict the ability of his company to continue business at Washington Square or their ability to expand and/or launch from another site.

Danny Carone, Resident at Gateway Mobile Home Park, is opposed to the existing balloon launching and expressed concern regarding noise pollution caused by balloon launching and from the traffic on Highway 29.

Public Hearing Closed

Council Comments

Councilmember Chilton commented that he drove the site several times and provided the following comments:

- Based on his calculations it seems the proposed launch site is preferable in comparison to Washington Square.
- In terms of distractions the proposed launch site seems better from a safety standpoint and he has more concern over launching at Vintage 1870.
- Understands comments from resident at Gateway in terms of hearing the fire from balloons, but thinks those balloons are coming from the County Corporation Yard launch site. Balloons at the proposed site are less likely to cause noise pollution to the Town.
- Generally in favor of the request and sees the move as a positive one.
- Going from 3 to 5 launches is okay.

Councilmember Rosa commented on the following:

- Good move and puts everyone on the west side of the highway.
- Proposed site is further off the highway than the current launch site at Washington Square.
- Applicant has permission from the Wine Train.
- Number of balloons is also okay.

Councilmember Dutton commented on the following:

- Proposed launch site would probably take balloons straight over the golf course.
- The noise heard from balloons is probably from the County Corporation Yard.
- Acknowledged the Washington Square site availability could end any time and hopes some type of leeway would be given to the other balloon company in order to remain in Town. Does not want to see a business eliminated if a location is closed down.
- An accident in the area is likely to happen, but never know when and whether or not there would be any liability to the Town.

Vice Mayor Dunbar commented on the following:

- Appreciates staff concern about road safety, but does not connect any of the serious accidents that have occurred to the launch time of day and is not concerned about proximity to the highway.
- Launching from proposed site could potentially be less distracting from the current site.
- There has been concern about balloons launching from the west side of Town and he personally does not have a problem and considers it part of the charm of the Town. Thinks proposed site would be less of an impact to residents.
- Concerned about the proximity to the launches at Vintage 1870 and what type of coordination is in place in terms of competing for air space between the two launch sites and suggested there needs to be coordination.
- Initially does not support an increase to the number of launches until we see if there is going to be a problem.
- Cannot guarantee any expansion of businesses and can only protect the overall impact on the Town.
- Supports change in site.
- Would like to see some type of professional agreement with what is happening across the highway.

Mayor Saucerman commented she concurs with many of the comments made by Vice Mayor Dunbar and Councilmember Dutton and commented on the following:

- Cannot support additional launches at this time.
- No problem with site relocation.
- Does not feel the proposed launch site necessarily permits a hazard of any kind to the traffic on the highway.
- Good point raised by Vice Mayor Dunbar in regard to coordinating launches on both sides of the highway.
- Suggested limiting the number of launches to the current number of launches available to both balloon companies and incorporate a probationary period in the resolution.

Council consensus regarding comments made above.

ACTION: A Motion by Councilmember Rosa, Seconded by Councilmember Chilton to continue to the item to July 5, 2007 was unanimously approved.

Ayes: Rosa, Chilton, Dutton, Dunbar and Saucerman

Noes: None

Absent: None

Abstain: None

12. PUBLIC HEARING – DESIGN REVIEW – PASSIVE PUBLIC PARK – 6526 YOUNT STREET (APN 036-090-022)

Consider Adoption of Resolution Number 2581-07 Approving Design Review for a project consisting of a passive use public park located adjacent to Community Hall.

Recommendation: Action modified from adopt resolution to provide direction to staff.

Robert Tiernan, Interim Town Manager/Planning Director, presented staff report and commented staff would like to come back at a later meeting with a budget for the proposed park noting the sculpture for this design is unknown and the focal point could include a number of things.

Councilmember Chilton addressed comments from ZDRB Member Matt Lamborn requesting clarification regarding who would manage upkeep of site. The request specifically had to do with the vines which are an extremely important part of the parks and he does not think the Town is qualified to manage the vines. Councilmember Chilton would like to see an agreement that would be an extension of the vines the Bardessono Inn is maintaining.

Interim Town Manager/Director Tiernan commented the Inn would continue to maintain the vines on their property and the vines into the park. The remaining park maintenance would be the responsibility of the Town.

Councilmember Rosa commented on the following:

- Time table is important as to when the Inn is finished and when the site gets landscaped.
- Concerned that the landscaping fits with the proposed Town Center Project and the Inn and suggested the design be kept simple for long-term maintenance of the park.

Vice Mayor Dunbar commented on the following:

- Biggest concern had to do with the cost of proposed art work.
- ZDRB commented on potential bench seating in addition to wall seating.
- Inquired about trash and water fountain capability and potential lighting in the area.
- Likes the idea of tying the area into local history with the Founders Rock.
- Idea of having a demonstrative sculpture or piece of art is a good idea depending on budget.
- Key is to keep area healthy and vibrant.
- Likes idea of grassy knoll.

Mayor Saucerman commented that her questions regarding the vineyard rows moving into the park were answered.

Public Hearing Opened

Billie Hewitt asked the size of the piece of property and staff responded the size is 6,148 feet. Ms. Hewitt asked whether or not the Town and Council would consider a demonstration garden of some sort since the Town is in an agricultural area and suggested the demonstration area could include a variety of microclimates in the Napa Valley (i.e. grasses, vines, vegetables – a variety of things beside grapes and grass). Ms. Hewitt also suggested the Town could partner with other agencies such as the Master Gardners.

Public Hearing Closed

Council Comments

Councilmember Chilton commented on the following:

- Overall likes the foot print and thinks it will draw people into the area.
- The green screen idea is a good idea and likes what is in front of Redds and what is behind Hurleys.
- Likes idea of seating bench.
- Personally thinks the area will be very brown with the exception of the vines.
- Does not like the idea of grass.
- Thinks this area is an opportunity for the Town in its efforts to promote water conservation and the area could be used to showcase water conservation.
- Agrees with ZDRB comment using something other then grass for groundcover.

Councilmember Rosa commented on the following:

- Reiterate comments about keeping the landscaping simple in order to properly maintain.
- Wants to see a realistic budget and does not want to end up with a Vandeleur Park budget.
- Landscape should fit in with the proposed Town Center Project and the Inn.
- Agrees with Councilmember Chilton in regard to water conservation.

Councilmember Dutton commented on the following:

- Agree with use of groundcover rather then grass in order to move towards conservation where we can.
- Bench seating with back or no back was mentioned, and we would have to see how it fits.
- Agrees need to see costs and keep it simple if we can.
- Has different perspective about maintenance since the Town knows nothing about vine maintenance and strongly encouraged some type of agreement with the Inn to maintain the vines.

Vice Mayor Dunbar commented on the following:

- Pro lawn person and believes the Town could show an example of how we can use our water conservation system to irrigate this small parcel and would not want to eliminate this idea at this point of the concept plan.
- Likes trying to connect this space to Town history (i.e. Founders Rock or some other element).

Mayor Saucerman commented on the following:

- Conceptually likes the flow of design.
- Likes circular pathway and seating area around focal point.
- Would like to see more on sculpture.
- Likes concept of green screen for privacy and from asphalt and loading ramp from Town Center Project.
- Concerned about the lawn area and would like the Town to set example of water conservation as long as there is a way to display how we would irrigate (i.e. educational materials).
- Concerned about vines intruding into the park property and proper maintenance.
- Concurs with Councilmember Dutton that there needs to be an arrangement with the Bardessono Group to maintain the vineyards since they are located on public property.

Councilmember Chilton commented that he concurs with Councilmember Dutton regarding exploring the idea of the entire park being maintained by the Bardessono Inn.

ACTION: No Action Taken – Staff will return with a budget and resolution.

13. ADOPT FINAL BUDGET AND SET BUDGET POLICIES FOR FISCAL YEAR 2007/2008
Consider Adoption of Resolution Number 2582-07 Adopting the Final Budget for Fiscal Year 2007/2008.

Recommendation: Adopted Resolution.

Richard Stranzl, Finance Director, presented staff report.

Public Comment - None

ACTION: A Motion by Councilmember Dutton, Seconded by Vice Mayor Dunbar to adopt Resolution Number 2582-07 Approving the amounts of funding for the Non-Profit requests for fiscal year 2007-08 and Adopting the Fiscal Year 2007-08 Budget and Setting Budget Policies was unanimously approved.

Ayes: Dutton, Dunbar, Rosa, Chilton and Saucerman

Noes: None

Absent: None

Abstain: None

14. DISCUSSION REGARDING YOUNTVILLE COMMUNITY POOL USAGE FEES
Recommendation: Received Staff Report and Provided Direction to Staff.

Kenneth Leary, Community Services Director, presented staff report.

Public Comments - None

Council Comments

Councilmember Chilton commented on the following:

- Service Reduction - Suggested reviewing the pool usage at the end of season on a day-by-day usage including the Veterans home usage.
- Opposed to raising rates on Yountville residents.
- Yountville family pass should be maintained at \$85.00.
- Should consider increased non-resident rate for a family pass.
- Lessons – Cost recovery should be calculated out better.
- Does not support daily non-resident rate.

Councilmember Rosa commented on the following:

- Does not want to see the rates raised at all.
- Review costs for next year.
- Splash pool is not certified yet and the whole facility is not available.

Councilmember Dutton commented on the following:

- Originally suggested raising the rates.
- Agrees should not raise fees this year and this summer should give a good idea of what to expect in the future as far as usage.
- Wants to know usage per day.
- Institute informational gathering statistics to prepare for next year.

Vice Mayor Dunbar commented on the following:

- Agrees with Councilmembers Rosa and Dutton at this point.
- Increased rates for non-residents is appropriate, but way too late for this season and would be supportive of it for next year.
- Agrees with monitoring usage this season.

Mayor Saucerman stated she concurs with many of the comments made by Council.

ACTION: No Action Taken – Staff to return to Council next year to review pool rates based on comments above and pool usage data collected.

15. CONSIDER APPOINTMENT TO THE ZONING AND DESIGN REVIEW BOARD TO FILL THREE POSITIONS WITH NEW TERMS OF OFFICE EXPIRING JUNE 19, 2010.

Michelle Price, Town Clerk, presented staff report and read Council Ballots for the record.

ACTION: A motion by Councilmember Chilton, Seconded by Councilmember Dutton to reappoint Matt Lamborn and Renate Halliday and to appoint Stephen Henderson to the Zoning and Design Review Board with new terms of office expiring June 19, 2010 was unanimously approved.

Ayes: Chilton, Dutton, Rosa, Dunbar and Saucerman
Noes: None
Absent: None
Abstain: None

Council directed staff to send a thank you letter to Richard Gervasio for his service to the ZDRB.

16. COUNCIL REPORTS AND COMMENTS

Report of Council Member Meeting Attendance:

- A. Napa County Flood Control and Water Conservation District
(Saucerman/Dunbar)

Mayor Saucerman commented the meeting was cancelled and the District will have a Special Meeting on June 26, 2007.

- B. Napa Valley Housing Authority

Councilmember Rosa attended the Authority meeting in Vice Mayor Dunbar's absent and the topics discussed included whether to dissolve NVHA, budget pertaining to the dissolution and minor fiscal trauma to all of the participants. Also discussed was transferring the yurts to the City of Napa.

- C. Napa County Mosquito Abatement District (Rosa)

Councilmember Rosa commented the District adopted the Budget and Engineers Report for the Special Assessment District. In addition, the District is getting into monitoring for ticks and will be testing for lime disease.

- D. Upper Valley Waste Management Authority (Dutton/Chilton)

Councilmember Dutton commented the Authority passed the budget and discussed legislation working its way through Sacramento related to diversion.

E. Other Reports and Comments

Vice Mayor Dunbar reported on upcoming events:

- Veterans Home - Opening of the Memory Care Facility on Wednesday, July 11, 2007 at 10:00 a.m.
- Fourth of July

Recommendation: Received and Filed.

17. STAFF REPORTS

Bob Tiernan, Interim Town Manager/Planning Director commented on the following:

- Changing the July 3, 2007 meeting to July 5, 2007 due to two Councilmembers being unable to attend the July 3rd meeting.
- ZDRB approved a name change to Vintage 1870. It will now be known as V-Marketplace 1870.
- Notice of Intent for use at smaller building at the Villagio Spa. Originally approved as a salon and now an Application has been submitted by Dr. Patrinellis to open up a skin care business.

18. FUTURE AGENDA ITEMS

- A. Napa County Arts & Culture Commission Appointment
- B. Request to Remove three (3) Heritage Oak Trees Due to Safety Concerns
- C. Preliminary Master Development Plans – Affordable Housing Projects (Ad Hoc and Finnell Road) (move that to the second July meeting)
- D. Knight Concept Review

19. ADJOURNMENT

Adjourned to Next Regular Council Meeting July 5, 2007.

ATTEST:

/s/ Michelle Price, Town Clerk

Approved by Town Council:

October 2, 2007